

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LINDA THOMPSON,

Plaintiff,

v.

GATE GOURMET INC., et al. ,

Defendants.

CASE NO. 2:21-CV-510-JCC-DWC

ORDER SETTING TRIAL DATE AND
PRETRIAL SCHEDULE

The Court has reviewed the parties' Joint Status Report (Dkt. 21) and schedules this case for a five-day jury trial on **January 9, 2023 at 9:30 a.m. before the Honorable John C. Coughenour, Courtroom 16206** with the following pretrial schedule:

Event	Date
Initial disclosures deadline	September 9, 2021
Deadline for joining additional parties	November 1, 2021
Plaintiff's expert disclosures under Fed. R. Civ. P. 26(a)(2)	June 23, 2022
Defendants' expert disclosures under Fed. R. Civ. P. 26(a)(2)	July 13, 2022
Rebuttal expert disclosures	August 2, 2022

1	Last date to file motions related to discovery	August 4, 2022
2	Discovery completed by	September 2, 2022
3	All dispositive motions and <i>Daubert</i> motions must be filed by (see LCR 7(d))	September 12, 2022
4	Mediation per LCR 39.1(c), if requested by the parties, held no later than	March 1, 2022
5	All motions in limine must be filed by this date and noted on the motion calendar no later than the THIRD Friday after filing.	December 15, 2022
6	Motions in limine raised in trial briefs will not be considered.	
7	Agreed LCR 16.1 Pretrial Order due	December 28, 2022
8	Trial briefs, proposed voir dire, jury instructions, and exhibits by	January 3, 2023
9	Pretrial conference	To be set by the Court

11 This order sets firm dates that can be changed only by order of the Court, not by
12 agreement of counsel for the parties. The Court will alter these dates only upon good cause
13 shown. Failure to complete discovery within the time allowed is not recognized as good cause.
14 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
15 holiday, the act or event shall be performed on the next business day.

16 If the trial dates assigned to this matter creates an irreconcilable conflict, counsel must
17 notify Deputy Clerk Kim Brye at kim_brye@wawd.uscourts.gov, within 10 days of the date of
18 this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a
19 waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be
20 understood that the trial may have to await the completion of other cases.

21 Trial Procedures

22 **1. Jury Instructions.** Jury instructions should be numbered sequentially. Counsel
23 should submit two copies of proposed jury instructions, one with citations and one without, and
24 should send electronic copies of the instructions to the chambers orders inbox at

coughenourorders@wawd.uscourts.gov. Counsel is advised that the Court relies primarily on the Ninth Circuit Manual of Model Jury instructions, available at <http://www3.ce9.uscourts.gov/jury-instructions/model-civil>. The Court will rarely, if ever, deviate from the model instructions' language. Counsel should refer to the filing instructions in Local Rule CR 51(h) for further instruction on Joint Instructions and Joint Statements of Disputed Instructions.

2. Trial exhibits. The Court must receive all trial exhibits by the date noted above. All trial exhibits must be pre-marked by counsel. Exhibit tags can be obtained from the Clerk's Office. Plaintiff's exhibits shall be numbered consecutively starting with number 1. Defendant's exhibits shall be numbered consecutively starting with number A-1. Duplicated documents shall not be listed twice on the exhibit list. **Once a party has identified an exhibit on the exhibit list or in the pretrial order, any party may use it. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs. This original, and one copy, should be delivered to the in-court clerk on the morning of trial.** If the exhibit list is revised at any time after it is filed with the Court, counsel shall file a revised exhibit list. Technology training is strongly encouraged.

Discovery

As required by CR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel shall also cooperate in preparing the agreed pretrial order in the format required by CR 16.1.

Settlement

The Court designates this case for mediation under CR 39.1(c) and the parties are directed to follow through with the procedures set forth in that rule. If this case settles, plaintiff's counsel shall notify Kim Brye at kim_brye@wawd.uscourts.gov, as soon as possible.

1 Pursuant to CR11(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement
2 may be subject to such discipline as the Court deems appropriate.

3 Dated this 2nd day of September, 2021.

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6 David W. Christel
7 United States Magistrate Judge
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